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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/697,264	10/26/2000	Theodore Jack London Shrader	AUS9-1997-0113-US2	3864

7590 01/14/2004
Law Office of Joseph R. Burwell
P. O. Box 28022
Austin, TX 78755-8022

EXAMINER

SAX, STEVEN PAUL

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 01/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/697,264

Applicant(s)
Shrader et al

Examiner
Steve Sax

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/3/03.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

1. This application has been examined. The Request for Reconsideration, filed 11/3/03, has been entered.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Rich et al (5918228).

4. Regarding claim 1, Rich et al show the method of effecting management tasks in a distributed computing environment cell having at least one web client with a browser connected to a web server (Figure 1, 3, column 1 lines 43-46, column 2 lines 12-25 and 35-40), including a security service (column 2 lines 25-30), including: authenticating a user of the web client by

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returning a credential from the web service (column 2 lines 35-43, column 4 lines 43-50, column 5 lines 25-35), responsive to user actions, displaying a plurality of web pages in the browser from which the authenticated user manages the distributed environment cell and managing it accordingly (column 4 lines 55-65, column 5 lines 40-68, column 6 lines 1-15).

5. Regarding claim 2, an administration main menu web page is displayed upon authentication (column 6 lines 7-19).

6. Regarding claim 3, the web page includes hypertext links associated with management command options (column 8 lines 18-45, and inherent within web browsers to use hypertext links).

7. Regarding claim 4, the links are selected (inherent in a browser).

8. Regarding claim 5, a fast path web page may be used which allows a user to perform multiple administrative tasks with a single action (column 7 lines 9-20).

9. Regarding claim 6, a server status web page may be called to view server status (column 8 lines 40-55).

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10. Claims 7-18 show the same features as above and are rejected for the same reasons.

11. Applicant's arguments filed have been fully considered but they are not persuasive. The summary of invention and comparison to Rich et al is noted and appreciated. Applicants state that there are features claimed in the present invention that are not in Rich et al. Specifically, with regard to claim 1, applicants argue on the bottom of page 3, top of page 4, and lines 20-33 of page 5 of the response, two features. The first feature is "...displaying a plurality of Web pages in the browser from which the authenticated user manages the distributed computing environment cell" Note though that when applicants argue this, they state it as (bottom line of page 3) 'to manage the DCE cell from *within the Web page* in the browser' yet this is simply not recited. Managing the DCE cell from the browser is done by Rich et al as shown in the aforecited passages (some of which requoted by applicants). The second feature is "managing the DCE cell from the Web browser" which once again is stated differently in applicants' argument as 'performing the management operation in the DCE cell' which, regardless of its anticipation in Rich et al or not, is simply not what the claim recites. The feature, managing the DCE cell from the browser, is taught in Rich et al as shown above. Furthermore, applicants use dependent claim 2 to strengthen the argument, but note that since this feature - an administration page - is shown in Rich et al, then the matter of whether it would add any weight to the argument or not, is moot.

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Regarding claims 3-6, mentioned by applicants in the end of page 5 into page 6, note that the hypertext links are in fact shown, and if applicants mean anything more than what is recited, then this needs to be brought out in the claims.

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

13. Any inquiry concerning this communication should be directed to Steve Sax at telephone number (703) 305-9582.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Sax whose telephone number is (703) 305-9582. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:00 PM.

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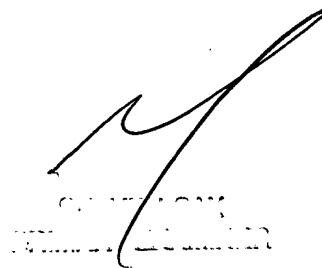
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306

Official Communication

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

A handwritten signature in black ink is written over a rectangular official stamp. The signature is a stylized, cursive 'M'. The stamp contains the words 'OFFICIAL' and 'COMMUNICATION' in a bold, sans-serif font, arranged in two lines.